

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**VRM (VENDOR RESOURCE
MANAGEMENT) DULY
AUTHORIZED AGENT FOR THE
SECRETARY OF VETERANS
AFFAIRS,**

Plaintiff,

v.

ALBERT DIAS, JR. et al.,

Defendants.

Civil Action No. 4:14-cv-783-O

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. *See* ECF No. 13. The Magistrate Judge recommended that Plaintiff's Motion to Remand (ECF No. 7) should be granted because the named defendants are citizens of Texas. Defendants objected. *See* Defs.' Objection, ECF No. 14. The Court has conducted a de novo review of those portions of the proposed findings and recommendation to which an objection was made.

Although Defendants removed this action because there is diversity between the parties, defendants are citizens of the forum state. “A civil action otherwise removable solely on the basis of . . . [diversity] jurisdiction . . . may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.” 28 U.S.C. § 1441(b)(2). Therefore, the Court **OVERRULES** Defendants’ objections and **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Accordingly, it is **ORDERED** that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted as the findings of the Court. Plaintiff's Motion to Remand (ECF No. 7) is hereby **GRANTED** and this action is remanded to County Court at Law No. 1, Tarrant County, Texas.

SO ORDERED on this **10th day of October, 2014**.



Reed O'Connor
UNITED STATES DISTRICT JUDGE